

DAC/2008
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PTO/SB/64 (01-08)

Approved for use through 02/29/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
IPS-001

First named inventor: Michael McGlynn

Application No.: 10/724,479

Art Unit: 3634

Filed: December 1, 2003

Examiner: Sara L. Purol

Title: Self-Adjusting volumeDisplay and Merchandise Display System

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity-fee \$ 770.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity – fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Response to Notice of Drawing Inconsistency (identify type of reply):

has been filed previously on October 13, 2006 _____
 is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1,000.00 02/26/2008 CNEGA1 00000007 10724479

has been paid previously on August 7, 2006 01 FC#2453 770.00 OP
 is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

 Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required. A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

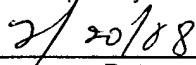
4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature



Date

Arthur M. Peslak, Esq.

35,642

Typed or printed name

Registration Number, if applicable

Mandel & Peslak, LLC

732-761-1610

Address

Telephone Number

80 Scenic Drive, Suite 5, Freehold, New Jersey 07728

Address

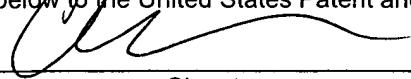
Enclosures: Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: _____**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

 Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

February 20, 2008

Date



Signature

Arthur M. Peslak

Typed or printed name of person signing certificate



Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS: MICHAEL McGLYNN AND WILLIAM J. CASERO

SERIAL NO.: 10/724,479

FILING DATE: December 1, 2003

FOR: SELF-ADJUSTING VOLUME DISPLAY AND MERCHANDISE
DISPENSING SYSTEM

GROUP ART

UNIT: 3634

EXAMINER: SARA L. PUROL

CERTIFICATE OF MAILING

I hereby certify that this paper with filing fee is being deposited with the United States Postal Service first class mail service under 37 CFR 1.10 on the date indicated below to Attention: Office of Petitions, MAIL STOP PETITION, Hon. Commissioner of Patents and Trademarks, Post Office Box 1450, Alexandria, Virginia 22313-1450.

Arthur M. Peslak

Type or Print Name of person mailing paper or fee

Signature of Person mailing paper or Fee

**ADDITIONAL SHEETS ESTABLISHING
UNINTENTIONAL ABANDONMENT**

Attention: Office of Petitions
MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The issue fee for this patent was paid by way of a fee transmittal sheet mailed by the undersigned on August 7, 2006 and stamped received in the Patent Office on August 26, 2006. (Exh. A hereto.) A Notice of Drawing Inconsistency with Specification was mailed by the Office on September 28, 2006. Applicant responded thereto by a mailing dated October 10, 2006 and stamped received at the Office on October 13, 2006. (Exh. B hereto.) A Notice of Abandonment was issued by the Office on November 29, 2006. Applicant responded to the Notice of Abandonment on December 5, 2006 (Exh. C hereto) and on April 26, 2007 (Exh. D hereto). Apparently, the undersigned inadvertently submitted the papers attached hereto as Exhs. B, C & D with an erroneous application serial number.

It is respectfully submitted that the abandonment in this case was unintentional. Applicants and the undersigned counsel have responded in a timely and diligent manner to all office correspondence and request issuance of the subject patent.

Respectfully Submitted,

Mandel & Peslak, LLC



By:

Arthur M. Peslak, Esq.
Reg. No. 35,642

Dated: February 20, 2008
80 Scenic Drive, Suite 5
Freehold, New Jersey 07728
(732) 761-1610

EXHIBIT “A”

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

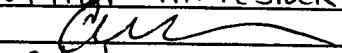
CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590 07/17/2006

Arthur M. Peslak, Esq.
 MANDEL & PESLAK, LLC
 80 Scenic Drive, Suite 5
 Freehold, NJ 07728

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
 I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Arthur M. Peslak	(Depositor's name)
	
(Signature)	
8 7 06	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,479	12/01/2003	Michael McGlynn	IPS-001	1040

TITLE OF INVENTION: SELF-ADJUSTING VOLUME DISPLAY AND MERCHANDISE DISPENSING SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$700	\$300	\$0	\$1000	10/17/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
PUROL, SARAH L	3634	211-126100

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list
 (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Arthur M. Peslak

2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

4a. The following fee(s) are submitted:

Issue Fee
 Publication Fee (No small entity discount permitted)
 Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

A check is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 501337 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature 

Date August 7, 2006

Typed or printed name Arthur M. Peslak

Registration No. 35,642

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

MANDEL & PESLAK, LLC

ATTORNEY BUSINESS ACCOUNT
80 SCENIC DR STE 5
FREEHOLD, NJ 07728-5211

SUNATIONAL BANK
FREEHOLD, NJ 07728 1607
1-855-642-3121

8/7/2006

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ORDER OF

Commissioner for Patents

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\$ 1,000.00
DOLLARS

Commissioner for Patents

PO Box 1450
Alexandria, VA 22313-1450

MEMO

10/727,479 1007358 10312064 2011 01023565120

MANDEL & PESLAK, LLC

7368

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8/7/2006

IPS-001

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Business Checking 10/727,479 1,000.00

MANDEL & PESLAK, LLC

7368

Commissioner for Patents

8/7/2006

IPS-001

1,000.00

IPS-001



Inventors: Michael McGlynn and William J. Casero
Serial No.: 10/727,479

Serial No.: 10,721,479

Printing Date: December 1, 2003
For: Self Adjusting Volume Display and Merchandise Dispensing System

Group Art Unit: 3634

The following was received in the U.S. Patent
And Trademark Office on the date stamped thereon:
Issue & Publication Fee, Fee Transmittal Form

A decorative banner with a floral and geometric pattern, featuring the text "MINTON BOWLS" in the center.

1000 U.S. POSTAGE PB 3536925
65515 **00.24** D-AUG 11 2006
8065 MAILED FROM ZIP CODE 07728

MANDEL & PESLAK, LLC
ATTORNEYS AT LAW
80 SCENIC DRIVE
SUITE 5
FREEHOLD, NJ 07728

0772885211 2018

EXHIBIT “B”

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS: **MICHAEL McGLYNN AND WILLIAM J. CASERO**

SERIAL NO.: **10/727,479**

FILING DATE: **December 1, 2003**

FOR: **SELF-ADJUSTING VOLUME DISPLAY AND MERCHANDISE
DISPENSING SYSTEM**

GROUP ART

UNIT: **3634**

EXAMINER: **SARA L. PUROL**

CERTIFICATE OF MAILING

I hereby certify that this paper with filing fee is being deposited with the United States Postal Service first class mail service under 37 CFR 1.10 on the date indicated above to Hon. Commissioner of Patents and Trademarks, Post Office Box 1450, Washington DC 20231-1450.

Arthur M. Peslak

Type or Print Name of person mailing paper or fee

Signature of Person mailing paper or Fee

**RESPONSE TO NOTICE OF DRAWING
INCONSISTENCY WITH SPECIFICATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop: Issue Fee

Sir:

Applicants, through their undersigned counsel, hereby submit this response to the Notice of Drawing Inconsistency with Specification mailed September 28, 2006.

IN THE SPECIFICATION

Please amend the BRIEF DESCRIPTION OF THE DRAWINGS as follows:

Please add the following:

Figure 9a is an assembly view illustrating the attachment of the hanger assembly to the Main Hopper Attachment Assembly.

Figure 11 illustrates an assembly layout blank of the Main Hopper Attachment Wedge Assembly.

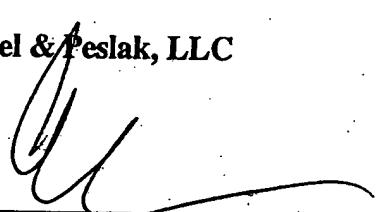
REMARKS

The notice indicated that Figures 9a and 11 were not referred to in the Brief Description of the Drawings section of the Specification. Applicant herewith submits the above proposed amendment to include the description.

Respectfully Submitted,

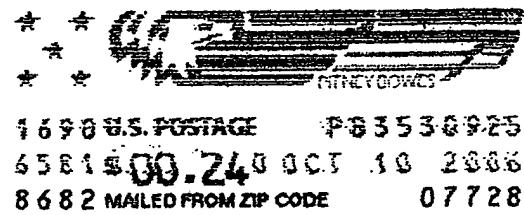
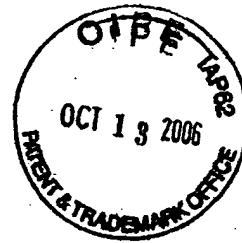
Mandel & Peslak, LLC

By: _____


Arthur M. Peslak, Esq.
Reg. No. 35,642

Dated: October 10, 2006
80 Scenic Drive, Suite 5
Freehold, New Jersey 07728
(732) 761-1610

Inventors: Michael McGlynn and William J. Casero
Serial No.: 10/727,479
Filing Date: December 1, 2003
For: Self Adjusting Volume Display and Merchandise
Dispensing System
Group Art Unit: 3634
The following was received in the U.S. Patent
And Trademark Office on the date stamped thereon:
Response to Notice of Drawing Inconsistency with
Specification



Mandel & Peslak, L.L.C.
Attorneys at Law
80 Scenic Drive, Suite 5
Freehold, New Jersey 07728

EXHIBIT “C”

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS: **MICHAEL McGLYNN AND WILLIAM J. CASERO**

SERIAL NO.: **10/727,479**

FILING DATE: **December 1, 2003**

FOR: **SELF-ADJUSTING VOLUME DISPLAY AND MERCHANDISE
DISPENSING SYSTEM**

GROUP ART

UNIT: **3634**

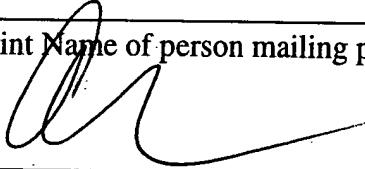
EXAMINER: **SARA L. PUROL**

CERTIFICATE OF MAILING

I hereby certify that this paper with filing fee is being deposited with the United States Postal Service first class mail service under 37 CFR 1.10 on the date indicated below to Hon. Commissioner of Patents and Trademarks, Post Office Box 1450, Washington DC 20231-1450.

Arthur M. Peslak

Type or Print Name of person mailing paper or fee


Signature of Person mailing paper or Fee

RESPONSE TO NOTICE OF ABANDONMENT
MAILED NOVEMBER 29, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The examiner issued a Notice of Abandonment claiming that the Patent and Trademark Office did not receive a reply to the letter mailed September 28, 2006. To the contrary, applicant

filed a timely response that was received by the Office on October 13, 2006. Attached hereto as Exhibit 1 is a true copy of the response as well as the stamped return postcard.

Applicant respectfully requests withdrawal of the Notice of Abandonment and prompt allowance of the patent, for which the issue fee has already been paid.

Respectfully Submitted,

Mandel & Peslak, LLC

By: _____

Arthur M. Peslak, Esq.
Reg. No. 35,642

Dated: December 5, 2006
80 Scenic Drive, Suite 5
Freehold, New Jersey 07728
(732) 761-1610

EXHIBIT 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS: **MICHAEL McGLYNN AND WILLIAM J. CASERO**

SERIAL NO.: **10/727,479**

FILING DATE: **December 1, 2003**

FOR: **SELF-ADJUSTING VOLUME DISPLAY AND MERCHANDISE
DISPENSING SYSTEM**

GROUP ART

UNIT: **3634**

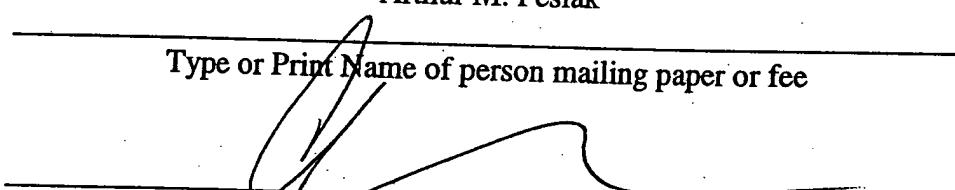
EXAMINER: **SARA L. PUROL**

CERTIFICATE OF MAILING

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Arthur M. Peslak

Type or Print Name of person mailing paper or fee



Signature of Person mailing paper or Fee

**RESPONSE TO NOTICE OF DRAWING
INCONSISTENCY WITH SPECIFICATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop: Issue Fee

Sir:

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IN THE SPECIFICATION

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Please add the following:

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Figure 11 illustrates an assembly layout blank of the Main Hopper Attachment Wedge Assembly.

REMARKS

The notice indicated that Figures 9a and 11 were not referred to in the Brief Description of the Drawings section of the Specification. Applicant herewith submits the above proposed amendment to include the description.

Respectfully Submitted,

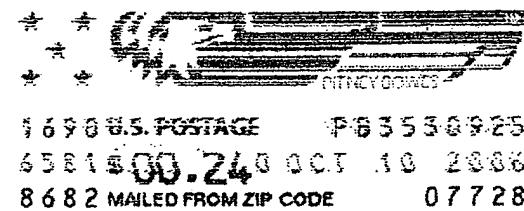
Mandel & Peslak, LLC

By: 

Arthur M. Peslak, Esq.
Reg. No. 35,642

Dated: October 10, 2006
80 Scenic Drive, Suite 5
Freehold, New Jersey 07728
(732) 761-1610

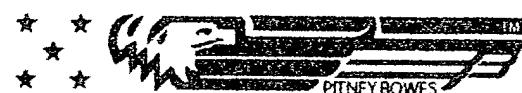
Inventors: Michael McGlynn and William J. Casero
Serial No.: 10/727,479
Filing Date: December 1, 2003
For: Self Adjusting Volume Display and Merchandise
Dispensing System
Group Art Unit: 3634
The following was received in the U.S. Patent
And Trademark Office on the date stamped thereon:
Response to Notice of Drawing Inconsistency with
Specification



Mandel & Peslak, L.L.C.
Attorneys at Law
80 Scenic Drive, Suite 5
Freehold, New Jersey 07728

Inventors: Michael McGlynn and William J. Casero
Serial No. 10/727,479
Filing Date December 1, 2003
For: Self Adjusting Volume Display and
Merchandise Dispensing System
G.P. Attn Unit: 3634

The following was received in the U.S. Patent
And Trademark Office on the date stamped thereon:
Response to Notice Abandonment



1190 U.S. POSTAGE PB3530925
6591 \$00.24 0 DEC 05 2006
9352 MAILED FROM ZIP CODE 07728

Mandel & Peslak, L.L.C.
Attorneys at Law
80 Scenic Drive, Suite 5
Freehold, New Jersey 07728

EXHIBIT “D”

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS: MICHAEL McGLYNN AND WILLIAM J. CASERO

SERIAL NO.: 10/727,479

FILING DATE: December 1, 2003

FOR: SELF-ADJUSTING VOLUME DISPLAY AND MERCHANDISE
DISPENSING SYSTEM

GROUP ART

UNIT: 3634

EXAMINER: SARA L. PUROL

CERTIFICATE OF MAILING

I hereby certify that this paper with filing fee is being deposited with the United States Postal Service first class mail service under 37 CFR 1.10 on the date indicated below to Hon. Commissioner of Patents and Trademarks, Post Office Box 1450, Alexandria, Virginia 22313-1450.

Arthur M. Peslak

Type or Print Name of person mailing paper or fee

Signature of Person mailing paper or Fee

SECOND RESPONSE TO NOTICE OF ABANDONMENT
MAILED NOVEMBER 29, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The examiner issued a Notice of Abandonment claiming that the Patent and Trademark Office did not receive a reply to the letter mailed September 28, 2006. Applicant is enclosing the

response mailed on October 10, 2006 along with Applicant's First Response to the Notice of Abandonment mailed on December 5, 2006. I also enclose copies of both return post cards stamped as received. Applicant paid the issue fee in August 2006 and hereby requests prompt allowance of the patent.

Respectfully Submitted,

Mandel & Peslak, LLC

By:

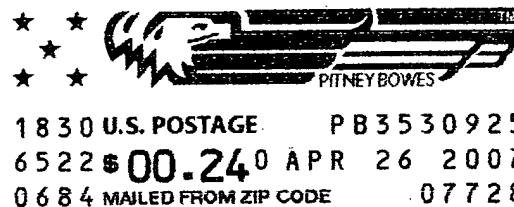
Arthur M. Peslak, Esq.
Reg. No. 35,642

Dated: April 26, 2007
80 Scenic Drive, Suite 5
Freehold, New Jersey 07728
(732) 761-1610

Inventors: Michael McGlynn and William J. Casero
Serial No.: 10/727,479
Filing Date: December 1, 2003
For: Self Adjusting Volume Display and
Merchandise Dispensing System

Grp. Art Unit: 3634

The following was received in the U.S. Patent
And Trademark Office on the date stamped thereon:
Second Response to Notice Abandonment



Mandel & Peslak, L.L.C.
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